



The relief described hereinbelow is SO ORDERED.

Signed March 05, 2021.

A handwritten signature in black ink, appearing to read "H. Mott", written over a horizontal line.

**H. CHRISTOPHER MOTT
UNITED STATES BANKRUPTCY JUDGE**

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

IN RE:

CASE NO. 19-31575-hcm

**William M. Byers and Christina O.
Byers,**

HEARING DATE: March 10, 2021

TIME: 01:30 PM

Debtors.

JUDGE H. Christopher Mott

**AGREED ORDER RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF
FROM AUTOMATIC STAY AGAINST REAL PROPERTY LOCATED AT 6624
MARIPOSA DRIVE, EL PASO, TEXAS 79912 [DOCKET NO. 40]**

Before the Court on the Motion for Relief from Automatic Stay filed by Reverse Mortgage Solutions, Inc. ("Secured Creditor"), on January 29, 2021, having been scheduled for a hearing on March 10, 2021, regarding real property now or formerly known as 6624 Mariposa Drive, El Paso, Texas 79912 ("Property"), and the parties having reached the following

agreement.

IT IS HEREBY ORDERED that the automatic stay instituted upon filing of the within bankruptcy case is hereby modified as to Secured Creditor's lien interest in the Property, thereby allowing Secured Creditor take such actions, conditioned upon compliance with the terms herein and the cure of the post-petition delinquency in the sum of \$2,854.00 over the next six (6) months. A breakdown of the delinquency is as follows:

Forced Placed Hazard Insurance (6/5/20-6/5/21)	\$1,823.00
Less funds in suspense	(0.00)
Attorneys' fees and costs	\$1,031.00
TOTAL DELINQUENCY:	\$2,854.00

IT IS FURTHER ORDERED that the Debtor shall make five (5) consecutive monthly payments in the amount of \$476.00 each, beginning March 15, 2021 through July 15, 2021, with a final payment in the amount of \$474.00 due on August 15, 2021, made payable to Reverse Mortgage Solutions, Inc., 14405 Walters Road, Suite 200, Houston, Texas 77014. In addition, Debtor shall continue to maintain home owner's insurance and timely pay property taxes on the subject property. In the event that any payment is not received timely, the automatic stay shall lift without further order or proceeding of or to the Court, thereby allowing Secured Creditor to pursue its rights under the Note and Mortgage, including but not limited to the continuation and consummation of an action to foreclose the Mortgage with respect to the premises.

IT IS FURTHER ORDERED that in the event of a future default, the Secured Creditor will send a 10-day Notice of Default to the Debtor and Debtor's Attorney, giving the Debtor ten (10) days to cure the default. In the event the Debtor fails to cure said default within the 10 day cure period, or in the event Debtor becomes delinquent after one (1) Notice of Default, counsel for Secured Creditor will file with the court a Notice of Termination of the Stay, with service

upon the Debtor, Debtor's Attorney, and the Chapter 13 Trustee, thereby terminating the automatic stay and allowing Secured Creditor to pursue its rights under the Note and Mortgage, including but not limited to the continuation and consummation of an action to foreclose the Mortgage with respect to the Premises.

IT IS FURTHER ORDERED that this Order is binding on Debtor in the event of a conversion of this case and on all successors in interest including, but not limited to, any Trustee appointed upon the conversion of this case. If the property has been previously exempted from the estate, conversion of this case shall be an immediate event of default under the terms of this Agreed Order. This Agreed Order shall remain in full force and effect and no modification of the Chapter 13 Plan shall alter or amend the terms and provisions of this Agreed Order.

IT IS FURTHER ORDERED that to the extent the Property is foreclosed on and sold, any excess proceeds from the sale shall be turned over to the Trustee with a reservation of the issue as to whether the Debtor is entitled to such funds.

IT IS FURTHER ORDERED that upon notice of termination of stay, Trustee is authorized to cease funding Movant's claim.

IT IS FURTHER ORDERED that the agreement by and between Secured Creditor and Debtor as recited hereinabove is approved in all respects and constitutes a binding Order of this Court.

IT IS FURTHER ORDERED that in light of the parties' agreement, the stay pursuant to Bankruptcy Rule 4001(a)(3) is waived.

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AGREED TO BY:

/s/ Tricia Ann Morra

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CHAPTER 13 TRUSTEE